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Attorneys for Defendant Google LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

CHASOM BROWN, WILLIAM BYATT,
JEREMY DAVIS, CHRISTOPHER
CASTILLO, and MONIQUE TRUJILLO,
individually and on behalf of all similarly
situated,

Plaintiffs,

v.

GOOGLE LLC,

Case No. 5:20-cv-03664-YGR-SVK

**DECLARATION OF TONI BAKER IN
SUPPORT OF GOOGLE'S ASSERTION
OF PRIVILEGE**

Referral: Hon. Susan van Keulen, USMJ

Defendant.

I, Toni Baker, declare as follows:

1. I am in-house discovery counsel for Google. I make this declaration of my own personal, firsthand knowledge, and if called as a witness, I could and would testify competently thereto.

2. In my role as in-house discovery counsel for Google, I frequently communicate with Google engineers and Google in-house and outside counsel to discuss technical issues related to this case.

3. I am familiar with and was directly involved in preparing GOOG-CABR-03667431 and the communications contained therein between myself, Google outside counsel Josef Ansorge, Google in-house counsel Ryan Blackhart, and Google engineer Bert Leung.

4. This document is a “Google Docs”-formatted file. Google Docs is a web-based document program that allows multiple people to work in a document at the same time: edits can be seen as they are made, conversations can take place via comments directed to particular individuals and responses thereto. As such, it is common for discussions between Google in-house counsel, Google outside counsel, and non-attorneys to take place in the comments in a given Google document. These comments appear on the right-hand side of the document and are preceded by the word “Commented” and then a number in brackets.

5. In Comment 1, relating to Google’s efforts to comply with discovery requests related to ongoing litigation, I requested information from a Google engineer regarding the scope of available data, which was necessary for me to render legal advice along with Google’s outside

counsel. Further, I provided legal advice to ensure that the data collected was preserved and prepared within an acceptable timeframe.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed in San Jose, California on March 14, 2022.

DATED: March 14, 2022

By  DC931C0F591E4D5
Toni Baker